

AUG 12 1993 (8)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
BOBBIE JOE BOWDEN  
Serial No.: 08/050,527  
Filed: April 19, 1993  
For: AUTOMATIC DRILLING SYSTEM

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Attorney Docket No.  
B-0106.01

Examining Atty.  
T.H. Tublesing

RECEIVED

AUG 16 1993

LICENSING & REVIEW

REQUEST FOR RECONSIDERATION:

PETITION FOR RETROACTIVE LICENSE TO EXPORT TECHNICAL DATA AND TO  
FILE A FOREIGN APPLICATION UNDER 35 USC §184.

COMMISSIONER OF PATENTS  
AND TRADEMARKS  
Washington, D.C. 20231

Attn: Licensing and Review

Sir:

In response to the Denial of Applicant's Petition for Retroactive License mailed July 19, 1993, Applicant presents the Supplemental Declaration of Donald R. Comuzzi to supplement the explanation regarding the error which resulted in the proscribed foreign filing as required by 37 CFR §5.25(a)(3)(iii). That Declaration sets out the circumstances which resulted in the proscribed foreign filing. Specifically, Applicant's attorney mistakenly believed the proper procedure governing the contemporaneous filing of U.S. and foreign applications required only that a timely petition for retroactive foreign filing license be submitted to cover the proscribed foreign filings. Applicant's attorney through mistake of procedure was unaware that a foreign filing license could be obtained even though there was no corresponding U.S. Application on file at the U.S. Patent and Trademark Office. Accordingly, Applicant respectfully submits that the failure to obtain the appropriate foreign filing license was not willful or intentional, but, rather, occurred only through an error concerning the proper PTO procedure which was committed without any deceptive intent. Furthermore, Applicant respectfully submits that the Supplemental Declaration of Donald R. Comuzzi satisfies the required showing of error without deceptive intent under 35 USC §184 in accordance with 37 CFR §5.25. Applicant,

therefore, respectfully requests reconsideration of Applicant's original petition and earnestly solicits the granting of a retroactive foreign filing license under 35 USC §184.

Respectfully submitted,

LAW OFFICES OF DONALD R. COMUZZI  
1631 Milam Building  
115 East Travis Street  
San Antonio, Texas 78205  
(512) 225-0007

Date \_\_\_\_\_ By:   
Donald R. Comuzzi  
Reg. No. 22,852

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail, Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Express Mail No. RB 901394857 US Date 11 Aug 93

  
Ana I. Robinson